HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Appeal No. 744 of 2007

Between:

P.V. Ramanaiah

... Appellant

And

The V.C. & Managing Director,
A.P. Schedule Castes Co-operative Finance
Corporation Limited, Hyderabad & others.

... Respondents

:: J U D G M E N T ::

Counsel for the appellant : Shri K. Ananda Rao

Counsel for respondent No.1: Shri M. Ganga Rao

September 14, 2007

Per G.S. SINGHVI, CJ

This is an appeal for setting aside order dated 19.06.2007 passed by the learned Single Judge in Writ Petition No. 12669 of 2007, whereby he refused to interfere with order dated 16.05.2007 passed by the Vice-chairman and Managing Director, Andhra Pradesh Schedule Castes Co-operative Finance Corporation, Hyderabad for the appellant's suspension from the post of Assistant Engineer, Social Welfare Engineering Wing.

After Shri K. Ananda Rao, learned counsel for the appellant made submissions in support of the appeal, we pointed out to him that statutory remedy of appeal was available to his client under Rule 33 of

the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 (for short, 'the Rules'), which his client failed to avail.

Faced with the possible dismissal of the appeal on the ground of availability of statutory alternative remedy against the order which was subject matter of challenge in the writ petition, learned counsel came up with the request that his client may be permitted to withdraw this appeal as also Writ Petition No.12669 of 2007 with liberty to avail the remedy of appeal under Rule 33 of the Rules.

Shri M. Ganga Rao, learned counsel for respondent No.1 fairly stated that he does not have any objection.

In view of the above, the request of the learned counsel is accepted and this appeal and Writ Petition No. 12669 of 2007 are dismissed as withdrawn with liberty to the appellant to avail remedy of appeal.

We hope and trust that the appeal, if any filed by the appellant within a period of 15 days from today will be heard and decided by the Appellate Authority as early as possible, but latest within next three months.

As a sequel to dismissal of the writ appeal as withdrawn, W.A.M.P.No.1491 of 2007 filed by the appellant for interim relief is also dismissed.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

September 14, 2007

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